since each fluid ounce did not contain 400 U. S. P. units of vitamin B_1 but did contain a smaller amount.

On February 28, 1941, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of $500.

463. Adulteration of chloroform. U. S. v. 795 Bottles and 972 Bottles of Chloroform. Default decrees of condemnation. Portion of product ordered destroyed; remainder ordered delivered to a hospital to be used for technical purposes. (F. D. C. Nos. 5174, 5180. Sample Nos. 47480–E, 50848–E.)

This product differed from the pharmacopoeial standards because of the presence of carbonizable substances in both lots and of chlorinated decomposition products in one.

On July 19 and 22, 1941, the United States attorneys for the District of Maryland and the Northern District of Illinois filed libels against 972 bottles of chloroform at Perry Point, Md., and 795 bottles of chloroform at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 27, 1941, by the City Chemical Corporation from New York, N. Y., and Jersey City, N. J.; and charging that it was adulterated and misbranded. It was labeled in part: "Chloroform USP XI (Not for Anesthesia)."

The article was alleged to be adulterated in that it purported to be or was represented as a drug the name of which is recognized in the United States Pharmacopoeia and its strength differed from and its quality and purity fell below the standard set forth in that compendium since it contained carbonizable substances and in one lot chlorinated decomposition products. It was alleged to be misbranded in that the statement "Chloroform USP XI," borne on the label, was false and misleading.

On September 20 and October 15, 1941, no claimant having appeared, judgments of condemnation were entered and the goods seized at Chicago were ordered destroyed and those seized at Perry Point were ordered delivered to a hospital. The latter lot was relabeled by obliterating the term "U. S. P." and stamping on the label the words, "For technical uses only."

464. Adulteration of powdered extract of digitalis. U. S. v. 1 Can of Powdered Extract of Digitalis. Default decree of condemnation and destruction. (F. D. C. No. 3742. Sample No. 25065–E.)

This product possessed a potency of not more than 1.3 U. S. P. digitalis units per 0.1 gram; whereas the National Formulary provides that it should possess a potency of not less than 2.75 U. S. P. digitalis units per 0.1 gram. Moreover, it was invoiced as "P. E. Digitalis 1–4," which meant that each gram should possess an activity of not less than 4 U. S. P. digitalis units.

On January 31, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 1 can of powdered extract of digitalis at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about November 2, 1940, by J. L. Hopkins & Co. from New York, N. Y.; and charging that it was adulterated. It was labeled in part: "Powdered Extract Not Biologically Tested Defatted Digitalis * * * Not N. F."

The article was alleged to be adulterated in that it purported to be or was represented as a drug the name of which is recognized in the National Formulary, an official compendium, but its strength differed from the standard set forth in such compendium and its difference in strength from such standard was not stated on its label. It was alleged to be adulterated further in that a substance, namely, a preparation of digitalis possessing a potency of not more than 1.3 U. S. P. digitalis units per 0.1 gram had been substituted therefor.

On March 8, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

465. Adulteration and misbranding of powdered extract digitalis leaves. U. S. v. 1 Can of Powdered Extract Digitalis Leaves. Consent decree of condemnation and destruction. (F. D. C. No. 2156. Sample Nos. 3014–E, 3060–E.)

This product possessed a potency of 1.6 U. S. P. digitalis units per 0.1 gram, whereas the National Formulary requires that extract of digitalis possess a potency of not less than 2.75 U. S. P. digitalis units per 0.1 gram.

On June 4, 1940, the United States attorney for the Western District of Pennsylvania filed a libel against one can of powdered extract digitalis leaves at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce on or about September 27, 1939, by S. B. Penick & Co. from Jersey City, N. J.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in the National Formulary, an official compendium, and its strength differed from the standard set forth in such compendium.

It was alleged to be misbranded in that the statement on the label, "Extract Tested N. F.," was false and misleading since the said statement represented that the article was a drug the name of which is recognized in the National Formulary; whereas its strength differed from the standard set forth in that compendium.

On September 30, 1941, the claimant having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

466. Adulteration of tincture of digitalis. U. S. v. 6 Bottles of Tincture Digitalis U. S. P. Default decree of condemnation and destruction. (F. D. C. No. 4830. Sample No. 39804-E.)

Examination of this product showed that its potency was not more than 63 percent of the U. S. Pharmacopoeia XI minimum requirement.

On May 24, 1941, the United States attorney for the Eastern District of Missouri filed a libel against 6 pint bottles of tincture of digitalis at St. Louis, Mo., alleging that the article had been shipped by Eli Lilly & Co. from Indianapolis, Ind., on or about October 22, 1940, and February 21, 1941; and charging that it was adulterated in that it purported to be a drug the name of which was recognized in an official compendium, namely, the United States Pharmacopoeia, but its strength fell below the standard set forth in such compendium.

On June 18, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

467. Adulteration and misbranding of triple distilled water. U. S. v. 180 Ampuls, 2,740 Ampuls, and 70 Bottles of Triple Distilled Water. Default decree of condemnation and destruction. ((F. D. C. No. 5159. Sample Nos. 11275-E, 11276-E, 11277-E.)

These ampuls of distilled water failed to conform to the requirements of the National Formulary for hydrogen ion concentration and a portion were short of the declared volume and were not packaged as required by the formulary. The water in the bottles contained as much as 11 times the maximum amount of oxidizable substances permitted by the National Formulary.

On or about July 18, 1941, the United States attorney for the Southern District of Texas filed a libel against 2,920 10-cc. ampuls and 70 100-cc. bottles of triple distilled water at Houston, Tex., alleging that the article had been shipped in interstate commerce within the period from on or about March 29 to on or about May 22, 1941, by Diarsenol Co., Inc., from Buffalo, N. Y.; and charging that it was adulterated and misbranded.

The product contained in the ampuls was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in the National Formulary, an official compendium, but its quality fell below the standard set forth therein since it failed to comply with the National Formulary requirement for pH (hydrogen ion concentration). The product contained in the bottles was alleged to be adulterated in that it purported to be and was represented as a drug the name of which is recognized in the National Formulary, an official compendium, and its purity and quality fell below the standard set forth therein since, when 100 cubic centimeters of the article was heated to boiling, acidulated with 10 cubic centimeters of diluted sulfuric acid, and 0.1 cubic centimeter of twentieth-normal potassium permanganate was added, the color of the liquid completely disappeared after boiling for 10 minutes; whereas the National Formulary requires that when 100 cubic centimeters of distilled water is heated to boiling, is acidulated with 10 cubic centimeters of diluted sulfuric acid, and 0.1 cubic centimeter of twentieth-normal potassium permanganate is added, it does not become completely decolorized after boiling for 10 minutes.

A portion of the article contained in the ampuls was alleged to be misbranded in that the statement "10 cc" on the ampuls was false and misleading since a portion of the ampuls contained less than 10 cubic centimeters of water; and in that it purported to be a drug the name of which is recognized in the National Formulary and was not packaged as therein prescribed.

On August 22, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.